

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Keith Weinstock and David Bush

Application No.:

Filed:

For: NUCLEIC ACID AND AMINO ACID SEQUENCES  
RELATING TO CANDIDA ALBICANS FOR  
DIAGNOSTICS AND THERAPEUTICS

Date: *June 24, 2003*

EXPRESS MAIL LABEL NO. EL 442001379 US

REVOCATION OF POWERS OF ATTORNEY AND APPOINTMENT OF  
NEW ATTORNEYS AND/OR AGENTS

Assistant Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313

Sir:

Genome Therapeutics Corporation, a Corporation duly organized under the laws of the Commonwealth of Massachusetts, is the assignee of the entire right, title and interest in the above-identified divisional application. Genome Therapeutics Corporation hereby appoints the attorneys and/or agents associated with

Nina L. Pearlmutter, Registration No.: 35,639

Robert L. Spadafora, Jr., Registration No.: 46,197

Genome Therapeutics Corporation

100 Beaver Street

Waltham, Massachusetts 02453

to prosecute the above-identified application and any divisions or continuations thereof and to conduct all business in the United States Patent and Trademark Office. All previously granted Powers of Attorney are hereby revoked.

Statement under 37 C.F.R. §3.73(b) is submitted herewith.

All correspondence should be sent to Robert L. Spadafora, Genome Therapeutics Corporation, 100 Beaver Street, Waltham, Massachusetts 02453. Please direct all telephone calls to Robert L. Spadafora at 781-398-2300 and all facsimile communication to 781-398-2530.

Respectfully submitted,

GENOME THERAPEUTICS CORPORATION

By \_\_\_\_\_  
Robert L. Spadafora  
Registration No. 46,197  
Telephone (781) 398-2300  
Facsimile (781) 398-2530

Waltham, Massachusetts 02453

Dated:

6/24/03

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Genome Therapeutics Corporation

Application No./Patent No.: Divisional of 09/248,796

Entitled: Nucleic Acid and Amino Acid Sequences Relating to *Candida albicans* for Diagnostics and Therapeutics

Genome Therapeutics Corporation, a Corporation

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or  
 an assignee of less than the entire right, title and interest  
The extent (by, percentage) of its ownership is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 9939, Frame 0069, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

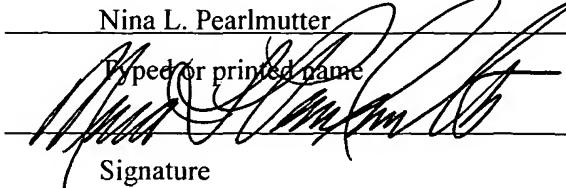
Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (*i.e.*, the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. *See MPEP 302.08*]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

June 24, 2003  
Date

Nina L. Pearlmuter  
Type or printed name  
  
Signature  
Director of Intellectual Property  
Title

**COMBINED DECLARATION for PATENT APPLICATION  
And POWER OF ATTORNEY  
English Language Declaration**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**NUCLEIC ACID AND AMINO ACID SEQUENCES RELATING TO  
*CANDIDA ALBICANS* FOR DIAGNOSTICS AND THERAPEUTICS**

the specification of which

(check one)

/ / is attached hereto.

/ X / was filed on 12 February 1999

as Application Serial No. 09/248.796

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefit under Title 35, United States Code, §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

Priority Foreign Application(s)	Priority Claimed
---------------------------------	------------------

<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	Yes	/ /	/ /
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No

<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	Yes	/ /	/ /
-----------------	------------------	-------------------------------	-----	-----	-----

No

I hereby claim the benefit under Title 35, United States code, §119(e) of any United States provisional application(s) listed below.

60/074.725                   13 February 1998  
(Application Serial No.)       (Filing Date)

60/096.409                   13 August 1998  
(Application Serial No.)       (Filing Date)

The undersigned hereby appoints(s) the following U.S. attorneys to prosecute this application and any division, continuation, continuation-in-part, reexamination or reissue applications thereof, and to transact all business in the Patent and Trademark Office connected therewith: Henry N. Wixon, Reg. No. 32,073; Scott M. Alter, Reg. No. 32,879; Edward D. Grieff, Reg. No. 38,898; Hollie L. Baker, Reg. No. 31,321; James B. Lampert, Reg. No. 24,564; Michael J. Bevilacqua, Reg. No. 31,091; Wayne M. Kennard, Reg. No. 30,271; Donald R. Steinberg, Reg. No. 37,241; Michael A. Diener, Reg. No. 37,122 ; and Wayne A. Keown, Reg. No. 33,923,

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor:                   Keith G. WEINSTOCK

First Inventor's signature

Date

Westborough, Massachusetts

Residence Address

UNITED STATES

Citizenship

21 Mountain View Drive

Post Office Address (if different from Residence Address)

Westborough, MA 01581

Full name of second inventor:

David BUSH

Second Inventor's signature

Date

4/4/99

Somerville, Massachusetts

Residence Address

UNITED STATES

Citizenship

205 Holland Street

Post Office Address (if different from Residence Address)

Somerville, MA 02144

**COMBINED DECLARATION for PATENT APPLICATION  
And POWER OF ATTORNEY  
English Language Declaration**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

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the specification of which

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/ / is attached hereto.

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Priority Foreign Application(s)	Priority Claimed
---------------------------------	------------------

<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	Yes	/ /	/ /
			No		

<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	Yes	/ /	/ /
			No		

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor:

Keith G. WEINSTOCK

**First Inventor's signature**

Date

## Westborough, Massachusetts

### **Residence Address**

UNITED STATES

## Citizenship

21 Mountain View Drive

**Post Office Address (if different from Residence Address)**

Westborough, MA 01581

Full name of second inventor: David BUSH

Second Inventor's signature

Date

Somerville, Massachusetts

Residence Address

UNITED STATES

Citizenship

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